

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

KRISTEN CROPF, et al. :
 :
v. : Civil Action No. DKC 21-2673
 :
JOHNNY WAYNE DEAN, et al. :
 :

MEMORANDUM OPINION

Presently pending is a Motion to Remand filed by Plaintiff. ECF No. 13. Removing defendants have not filed a response and the time to do so is now expired. For the reasons that follow, the motion to remand will be granted.

Plaintiffs filed suit in the Circuit Court for Prince George's County against Defendant J.W. Dean Enterprises, LLC, a Maryland entity, whose sole member is Johnny Wayne Dean, a Maryland resident, and Mr. Dean individually. The complaint asserts claims arising from a motor vehicle collision that happened on November 5, 2018, on I-95 South near MD-198. Defendants removed the action on October 18, 2021, on the basis of diversity of citizenship. The notice of removal and response to the court's standing order recited Defendants' citizenship. ECF Nos. 1, 9. 28 U.S.C. § 1441(b)(2) provides:

A civil action otherwise removable solely on the basis of jurisdiction under section 1332(a) of this title may not be removed if any of the parties in interest properly joined

and served as defendants is a citizen of the State in which such action is brought.

Defendants are citizens of Maryland and, while they claim not to have been properly served, they have not challenged the motion to remand. Consequently, the motion to remand will be granted and the case remanded to the Circuit Court. A separate order will follow.

/s/
DEBORAH K. CHASANOW
United States District Judge